

SB 201 OPPORTUNITIES AND FACTS

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SB 201 helps to give people more of a voice in how growth will impact them by creating a more predictable development process.

The three things SB 201 does do:

1) SB 201 created a voluntary city and city-county planning process under 76-1-601(4)(c) designed to help local governments get ahead of the impacts of growth and the infrastructure necessary to service growth efficiently.

SB 201 does this by creating a detailed planning process that includes:

- a) Projecting future growth inside and adjacent to cities and towns;
- b) Drawing a land use map that shows where future growth will be guided and at what densities;
- c) Identifying existing infrastructure and services;
- d) Planning for the future infrastructure and services need to service future growth efficiently – local governments can choose how detailed they want this planning to be;
- e) Identifying how future growth could adversely impact:
 - a. threatened or endangered wildlife and critical wildlife habitat and corridors;
 - b. water available to agricultural water users and facilities;
 - c. the ability of public facilities, including schools, to safely and efficiently service current residents and future growth;
 - d. a local government's ability to provide adequate local services, including but not limited to emergency, fire, and police protection;
 - e. the safety of people and property due to threats to public health and safety, including but not limited to wildfire, flooding, erosion, water pollution, hazardous wildlife interactions, and traffic hazards;
 - f. natural resources, including but not limited to forest lands, mineral resources, streams, rivers, lakes, wetlands, and ground water; and
 - g. agricultural lands and agricultural production;
- f) And descriptions of zoning and subdivision regulations, and market incentives that will be used to implement the plan – this may include impact fees and local government investments.

2) SB 201 created a streamline subdivision review process under 76-3-616. Here is how the streamline subdivision review would work:

- a) If a county or a city chooses to follow the new and much more detailed planning process under 76-1-601(4)(c) that includes identifying potential adverse impacts of future growth,

And,

- b) The county or the city chooses to go through the public process to adopt zoning in accordance with the plan that avoids, significantly reduces, or mitigates adverse impacts identified in the planning process

Then

- c) Subdivisions in accordance with zoning get a streamline review. However, all subdivision proposals must still include a description of future public facilities and services, using maps and text, that are necessary to efficiently serve the projected development.

3) SB 201 created a funding source to help pay for planning. If a county or city commits in a resolution to undertaking SB 201 planning then that jurisdiction may collect the SB 201 per lot or unit planning fees authorized under 76-1-410.

For example, if a city or county has adopted 76-1-410 fees and that jurisdiction reviews 1,000 lots per year then the fee would generate at least \$50,000 in new funding for planning per year for that city or county. The city or county can then choose to use the money either to pay for an FTE, planning consultants, or save up the money generated by the fee for future planning.

The three things SB 201 does not do:

- 1) SB 201 does not make growth policies regulatory, since it does not change 76-1-605;
- 2) SB 201 does not force a jurisdiction to do planning or zoning – or to use the streamline subdivision review process.
- 3) SB 201 does not create any new regulatory powers.